

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

SEDRIC EUGENE JOHNSON,

Plaintiff,

v.

P. COVELLO, et al.,

Defendants.

No. 2:21-CV-1605-TLN-DMC-P

FINDINGS AND RECOMMENDATIONS

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion for leave to proceed in forma pauperis, ECF No. 9.

The Court finds that Plaintiff has not made the showing required by 28 U.S.C. § 1915(a). Specifically, a review of Plaintiff's inmate trust account statement reflects that, as of September 29, 2021, Plaintiff has \$958.46 in available funds. See ECF No. 9, pg. 4. Plaintiff is thus able to pre-pay the filing fees for this case.

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Based on the foregoing, the undersigned recommends that:

1. Plaintiff's motion for in forma pauperis status, ECF No. 9, be denied; and
2. Plaintiff be directed to pay the filing fees in full.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days after being served with these findings and recommendations, any party may file written objections with the Court. Responses to objections shall be filed within 14 days after service of objections. Failure to file objections within the specified time may waive the right to appeal. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: October 18, 2021



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE